

Amendments to the Claims: This listing of claims will replace all prior versions, and listings, of claims in the application.

1. (Currently Amended) A screw and rod fixation assembly for fixing a screw and a rod comprising: a screw including a screw head; a body portion including screw head receiving means for receiving said screw head and rod receiving means for receiving a rod therein, said rod receiving means being offset from said screw head receiving means; and locking means for locking a rod within said rod receiving means, said locking means having a substantially cylindrical body defining an end surface for bearing against the screw head and a side surface that is rotatably positionable for directly engaging the rod to lock the rod in the rod receiving means.

2. (Original) The screw and rod fixation assembly according to claim 1, wherein said locking means has an engaged condition for engaging and maintaining the rod in position in said rod receiving means and an unengaged condition for enabling the rod to freely enter said rod receiving means.

3. (Original) The screw and rod fixation assembly according to claim 2, wherein said locking means includes a relieved wall for positioning said locking means in said unengaged condition.

4. (Original) The screw and rod fixation assembly according to claim 2, wherein said locking means includes a grooved wall for positioning said locking means in said engaged condition.

5. (Original) The screw and rod fixation assembly according to claim 4, wherein said grooved wall includes rod engaging means.

6. (Cancelled)

7. (Original) The screw and rod fixation assembly according to claim 1, wherein said locking means is a cam lock.

8. - 10. (Cancelled)

11. (Original) The screw and rod fixation assembly according to claim 7, wherein

said cam lock includes gripping means on an exterior surface of said cam lock for maintaining said cam lock in said body portion.

12. - 14. (Cancelled)

15. (Currently Amended) A rod receiving device comprising a body portion including screw receiving means for receiving a screw head therein and rod ~~seating~~receiving means offset from said screw receiving means within said body portion and locking means for locking a rod within said body portion, said locking means having a substantially cylindrical body defining an end surface for bearing against the screw head and a side surface that is rotatably positionable for directly engaging the rod to lock the rod in the rod receiving means.

16. (Original) The rod receiving device according to claim 15, wherein said locking means has an engaged condition for engaging and maintaining the rod in position in said rod receiving means and an unengaged condition for enabling the rod to freely enter said rod receiving means.

17. (Original) The rod receiving device according to claim 16, wherein said locking means includes a grooved wall for positioning said locking means in said engaged condition.

18. (Cancelled)

19. (Currently Amended) The rod receiving device according to claim ~~18~~17, wherein said grooved wall includes rod engaging means.

20. (Cancelled)

21. (Original) The rod receiving device according to claim 1, wherein said locking means is a cam lock.

22. -24. (Cancelled)

25. (Original) The rod receiving device according to claim 21, wherein said cam lock includes gripping means on an exterior surface of said cam lock for maintaining said cam lock in said body portion.

26. (Cancelled)

27. (Original) The rod receiving device according to claim 25, wherein said screw head receiving means is an aperture having gripping means.

28. (Cancelled)

29. (Currently Amended) ~~Red~~ A rod receiving means for receiving and maintaining a rod therein, said rod receiving means comprising a body portion having an interior portion,

said interior portion including screw head receiving means for receiving a screw head and a rod seat adjacent said screw head receiving means for receiving a rod therein, said rod seat being offset from the screw head receiving means, said interior portion defining an open passage between the rod seat and the screw head receiving means.

30. (Original) The rod receiving means according to claim 29, wherein said body portion includes gripping means for gripping and maintaining the screw head within said body portion.

31. (Cancelled)

32. (Currently Amended) A medical device comprising: a screw including a screw head; a body portion including screw head receiving means for receiving said screw head and rod receiving means for receiving a rod therein, said rod receiving means being offset from said screw head receiving means; and locking means for locking a rod within said body portion, said locking means having a substantially cylindrical body defining an end surface for bearing against the screw head and a side surface that is rotatably positionable for directly engaging the rod to lock the rod in the rod receiving means.

33. (Original) The medical device according to claim 32, wherein said locking means has an engaged condition for engaging and maintaining the rod in position in said rod receiving means and an unengaged condition for enabling the rod to freely enter said rod receiving means.

34. (Original) The medical device according to claim 33, wherein said locking means includes a relieved wall for positioning said locking means in said unengaged condition.

35. (Original) The medical device according to claim 33, wherein said locking means includes a grooved wall for positioning said locking means in said engaged condition.

36. (Original) The medical device according to claim 35, wherein said grooved wall includes rod engaging means.

37. (Cancelled)

38. (Original) The medical device according to claim 32, wherein said locking means is a cam lock.

39. (Cancelled)

40. (Cancelled)

41. (Original) The medical device according to claim 38, wherein said cam lock further includes extraction means for extracting said cam lock from said body portion.

42. (Original) The medical device according to claim 38, wherein said cam lock includes gripping means on an exterior surface of said cam lock for maintaining said cam lock in said body portion.

43. (Cancelled)

44. (Original) The medical device according to claim 32, wherein said locking means includes a screw head seat.

45. (Original) The medical device according to claim 44, wherein said screw head seat is formed in a shape selected from the group consisting essentially of conical and spherical.

46. (Currently Amended) An insert element comprising: a body portion including screw head receiving means for receiving a screw head and rod receiving means for receiving a rod therein, said rod receiving means being offset from said screw head receiving means; and locking means for locking a rod within said body portion, said locking means having a substantially cylindrical body defining an end surface for bearing against the screw head and a side surface that is rotatably positionable for directly engaging the rod to lock the rod in the rod receiving means.

47. (Original) The insert element according to claim 46, wherein said locking means has an engaged condition for engaging and maintaining the rod in position in said rod receiving means and an unengaged condition for enabling the rod to freely enter said rod receiving means.

48. (Original) The insert element according to claim 47, wherein said locking means includes a relieved wall for positioning said locking means in said unengaged condition.

49. (Original) The insert element according to claim 47, wherein said locking means includes a grooved wall for positioning said locking means in said engaged condition.

50. (Original) The insert element according to claim 49, wherein said grooved wall includes rod engaging means.

51. (Cancelled)

52. (Original) The insert element according to claim 46, wherein said locking means is a cam lock.

53. (Original) The insert element according to claim 52, wherein said cam lock includes a wedge shaped outer surface.

54. (Cancelled)

55. (Cancelled)

56. (Original) The insert element according to claim 52, wherein said cam lock includes gripping means on an exterior surface of said cam lock for maintaining said cam lock in said body portion.

57. (Currently Amended) An insert element comprising:

a body portion including screw head receiving means for receiving a screw head and rod receiving means for receiving a rod therein, said rod receiving means being offset from said screw head receiving means; and

locking means for locking a rod within said body portion wherein said locking means is a cam lock including threads on an exterior surface of said cam lock for maintaining said cam lock in said body portion. ~~The insert element according to claim 56, wherein said cam lock gripping means includes threads.~~

58. (Original) The insert element according to claim 46, wherein said locking means includes a screw head seat.

59. (Original) The insert element according to claim 58, wherein said screw head seat is formed in a shape selected from the group consisting essentially of conical and spherical.

60. (Currently Amended) A locking mechanism for locking a rod within an assembly, said locking mechanism comprising; a substantially cylindrical lock body including a circumferential extension along a side of the cylindrical body having a relieved portion for allowing entry of a rod into an assembly and a grooved portion for engaging and maintaining the rod within the assembly, wherein the locking mechanism is rotatable for selectively positioning either the relieved portion or the

grooved portion of the circumferential extension adjacent the rod.

61. (Currently Amended) The locking mechanism for locking a rod within an assembly 60, wherein said grooved ~~wall~~portion includes rod engaging means.

62. (Cancelled)

63. (Currently Amended) A rod receiving device comprising a body portion including screw receiving means having a partial cylindrical wall for receiving a screw therein, and rod seating means having a substantially U-shaped channel that intersects offset from said partial cylindrical wall of said screw receiving means ~~within said body portion~~.

64. (Original) The rod receiving device according to claim 63, wherein said rod seating means is substantially curvate in shape.

65. (Currently Amended) The rod receiving device according to claim 63, wherein said rod seating means is smaller than ~~the~~a diameter of ~~the~~a rod being placed therein.

66. (Currently Amended) The rod receiving device according to claim 63, wherein said ~~rod~~rod seating means is located substantially perpendicular to an axis bisecting said screw receiving means.